

guanethidine, guanfacine, guanochlor, and guanoxan.

Please cancel claims 20, 22-36, 38-48 and 50 without prejudice.

REMARKS

The above amendments and the following remarks are believed to place the application in condition for allowance. In the amendment set forth above, claim 49 has been amended pursuant to the Examiner's rejection under 35 U.S.C. § 112, first paragraph and now specifically includes the limitations of dependent claim 50, namely to identify a specific group of guanidine derivatives. Support for the amendment can be found throughout the specification, *e.g.*, at page 14, lines 22-25. Thus, no new matter is being added by the amendment.

Claims 20, 22-36, 38-48 and 50 have been canceled herein without prejudice to enhance the efficient prosecution of the application to issue. Applicant specifically reserves the right to pursue the canceled claims in a related divisional or continuation application.

A "VERSION WITH MARKINGS MADE TO SHOW CHANGES" (page 6) and an "AMENDED VERSION WITHOUT MARKINGS" (page 7) of amended claim 49 is being submitted concurrently herewith.

Objection to the Specification

As set forth on page 2 of the instant Office Action, the Examiner's objection to the specification is maintained with respect to Tables 1-3. In particular, the Examiner states

that Tables 1-3 contain graphs that should be deleted from the specification and resubmitted as drawings. A section titled "Brief Description of the Drawings" should be added to the specification. MPEP 608.01 cites 37 CFR 1.58 "Chemical and mathematical formulae and tables" which recites that drawings may not be included in the specification. The Examiner notes Applicant's intent to amend the specification upon receipt of a notice of allowability of the claimed invention.

In addition, the Examiner has objected to the disclosure and claims because of the following: compounds "clonidine" and "atipamezole" appear to be misspelled. Applicant will correct the spelling errors of the specification as required by the Examiner at the time of the correction of the specification to include drawings of Tables 1-3 is made (upon receipt of the notice of allowability). Applicant appreciates the Examiner's understanding and cooperation in this matter.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 49-64 are rejected because the specification, while being enabling for a guanidine derivative that possesses the requisite α adrenergic receptor agonist activity, allegedly does not reasonably provide enablement for any and all guanidine derivatives. It is alleged that the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims. On pages 11 and 12 it is emphasized that the guanidine derivative employed in the method must possess α adrenergic receptor agonist activity.

Claim 49 has been amended above to include the limitations of dependent claim 50. In addition the misspelled term "chlondine" has been omitted. The compounds now

contained in amended claim 49 are specifically taught as examples of suitable guanidine derivatives in the specification. Thus, the amendment of Claim 49 is believed to overcome the Examiners rejection under 35 U.S.C. § 112, first paragraph. Therefore, claims 49 and 51-64 are believed to be in condition for allowance and withdrawal of the rejection § 112, first paragraph rejection is respectfully requested.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 20, 22-36, 38-48, 50 are rejected as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In view of the above-amendment canceling claims 20, 22-36, 38-48 and 50 the rejection under 35 U.S.C. § 112, second paragraph is believed to be moot.

Rejection under U.S.C. § 103(a)

Claims 20, 22-36, 38-48 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious. However, applicant's amendment canceling these claims without prejudice is believed to render the rejection moot.

Related Matters

The Assistant Commissioner is hereby authorized to debit Deposit Account No. 19-4430 the amount of \$ 475.00 for the fee for a three month extension of time. No additional fee is believed to be due, however, the Commissioner is hereby authorized to debit deposit account number 19-4430 for any additional fees deemed to be due or issue a credit for any overpayment thereof. The Examiner is encouraged to contact the undersigned attorney directly if such contact will enhance the efficient prosecution of the

application to issue.

Respectfully submitted,

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By *J.W. Seanor DVM*

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I hereby certify that a courtesy copy of this correspondence is being transmitted by facsimile to Examiner Rebecca Cook at: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to telephone number (703) 746-5317 and to telephone number (703) 308-4556 on:

Date *November 24, 2003*

By *J.W. Seanor DVM*

VERSION WITH MARKINGS MADE TO SHOW CHANGES

Please amend claim 49 as follows:

49. (Amended) A method for providing chemical restraint of an animal, comprising administering to the animal a pharmaceutically effective amount of a composition comprised of a guanidine derivative selected from the group consisting of guanabenz, guanabenz acetate, guanoxabenz, clonidine, guanaciline, guanadrel, guanazodine, guanethidine, guanfacine, guanochlor, and guanoxan.



Docket No. 434-226

Patent

AMENDED VERSION WITHOUT MARKINGS

Please amend claim 49 as follows:

49. (Amended) A method for providing chemical restraint of an animal, comprising administering to the animal a pharmaceutically effective amount of a composition comprised of a guanidine derivative selected from the group consisting of guanabenz, guanabenz acetate, guanoxabenz, clonidine, guanaciline, guanadrel, guanazodine, guanethidine, guanfacine, guanochlor, and guanoxan.